

In the Matter of )  
 )  
Rules and Policies to Promote New Entry and ) MB Docket No. 17-289  
Ownership Diversity in the Broadcasting Services )

## 2056

the *Incubator NPRM*, the Commission anticipates that its consideration of how to structure and implement the incubator program will be informed by the committee's work.<sup>7</sup>

4. MMTC, which is represented on the ACDDE, has requested an extension of time for the filing of comments in the proceeding on behalf of the Broadcast Development and Diversity Working Group of the committee. MMTC states that the working group has been considering the issues raised in the *Incubator NPRM* and expects to submit comments in the record; however, prior to submission, the comments must first be approved and voted on by the full committee, which MMTC expects will occur at the ACDDE's next meeting to be held on March 27, 2018.<sup>8</sup> In order to accommodate this approval process, MMTC requests that the filing dates in this proceeding be extended to April 9, 2018, for comments, and May 10, 2018, for reply comments.<sup>9</sup>

5. We reiterate the importance of the ACDDE's work on the issues in this docket and anticipate that its input will help inform how the incubator program is structured and implemented. Nevertheless, under Section 1.46(a) of the Commission's rules, "extensions of time shall not be routinely granted."<sup>10</sup> The Commission initiated a dedicated proceeding regarding the new incubator program to allow it "to focus its efforts on getting this program up and running,"<sup>11</sup> and the U.S. Court of Appeals for the Third Circuit recently held in abeyance litigation over the 2010/2014 quadrennial review proceeding in light of the pendency of the issues raised in the *Incubator NPRM*.<sup>12</sup> Balanced against these considerations, we do not find that the circumstances identified by MMTC warrant grant of an extension. We encourage the working group and the ACDDE to work expeditiously to finalize and approve their comments and submit them in the record for consideration as soon as possible.

6. Accordingly, **IT IS ORDERED** that, pursuant to Section 4(i) of the Communications Act of 1934, as amended, 47 U.S.C. § 154(i), and Sections 0.61, 0.283, and 1.46 of the Commission's rules, 47 CFR §§ 0.61, 0.283, and 1.46, the motion for extension of time filed by MMTC **IS DENIED**.

FEDERAL COMMUNICATIONS COMMISSION

Michelle M. Carey  
Chief, Media Bureau

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<sup>7</sup> *Incubator NPRM*, 32 FCC Rcd at 9860, para. 129.

<sup>8</sup> MMTC Extension Request at 1-2. The Commission recently announced that the next meeting of the advisory committee will be held on March 27, 2018. *FCC Announces March 27, 2018 Meeting of Advisory Committee on Diversity and Digital Empowerment, Public Notice*, DA 18-108 (MB Feb. 6, 2018).

<sup>9</sup> MMTC Extension Request at 1.

<sup>10</sup> 47 CFR § 1.46(a).

<sup>11</sup> *Order on Reconsideration*, 32 FCC Rcd at 9859, para. 125.

<sup>12</sup> See *Prometheus Radio Project et al. v. FCC*, Nos. 17-1107 et al. (3<sup>rd</sup> Cir. Feb. 7, 2018). In this decision, the Third Circuit denied a request seeking a writ of mandamus regarding the *Order on Reconsideration* and related decisions. *Id.*